

**REMARKS**

Claims 1-7 are all the claims pending in the application.

The Examiner indicates that the Information Disclosure Statement filed on February 17, 2000 fails to comply with 37 C.F.R. § 1.98(a)(2) for not including a legible copy of each U.S. and foreign patent listed. Applicant submits that the IDS as filed on February 17, 2000 complied with all formal requirements.

Applicant thanks the Examiner for the telephone conference of May 12, 2003, during which the Examiner suggested that Applicant resend the references listed on Form PTO-1449 along with a copy of Form PTO-1449. Applicant herewith resubmits these references along with the accompanying Form PTO-1449.

The Examiner rejects claims 1-7 under 35 U.S.C. § 102(e) as being anticipated by Kobayakawa et al. (U.S. Patent No. 6,064,338). Applicant respectfully traverses this rejection. Kobayakawa does not disclose or suggest all of the features of Applicant's invention as claimed in independent claims 1 or 2.

In the present invention, as claimed in independent claims 1 and 2 and thus also in their respective dependent claims, the code for despreding the reception signal is calculated on the basis of delays given to the reception signal over transmission paths and the coefficients representing the respective phase/amplitude ratios of the transmission paths. Further, according to the present invention as set forth in independent claims 1 and 2 the reception signal is despread using the code calculated in the claimed manner.

The prior art fails to disclose or suggest a despreading code calculated as claimed or does it disclose or suggest the despreading of a reception signal using the code calculated as set forth in applicant's claimed invention. More specifically, in Kobayakawa, the fingers  $6_1-6_k$  operate to despread the signals input from the respective beam formers  $5_1-5_k$  by multiplying these signals by spreading codes according to the conventional technique. That conventional technique does not suggest and certainly does not disclose a calculated code which is based on delays given to the reception signal over the transmission paths and coefficients representing the respective phase/amplitude ratios of the transmission paths.

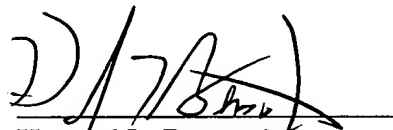
Because Kobayakawa does not disclose or suggest all of the features of Applicant's invention as claimed in claims 1 or 2, claims 1 and 2 are not anticipated by (i.e. are not readable on) Kobayakawa at least for this reason. Claims 3-7 are allowable at least by virtue of their dependence on claim 1.

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned attorney at the telephone number listed below.

Response Under 37 C.F.R. § 1.111  
Application No. 09/505,662

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,

  
Howard L. Bernstein  
Registration No. 25,665

SUGHRUE MION, PLLC  
Telephone: (202) 293-7060  
Facsimile: (202) 293-7860

WASHINGTON OFFICE



23373

PATENT TRADEMARK OFFICE

Date: June 25, 2003